

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Simms, Domenica

Appl. No.: 10/046,667

Filed: January 16, 2002

For: Reagent for the Isolation of RNA

Confirmation No.: 3021

Art Unit: 1651

Examiner: Prats, Francisco Chandler

Atty. Docket: 0942.5220001/RWE/CJW

## First Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is also provided.

The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Information Disclosure Statement filed August 7, 2002, in connection with the above-captioned application.

The Examiner's attention is directed to the following co-pending U.S. Patent Application, which is directed to related technical subject matter:

U.S. Patent Application No. 09/058,350, Domenica Simms, filed April 10, 1998 and submitted herewith as document AT6.

The Examiner's attention is also directed to the prosecution from co-pending U.S. Patent Application No. 09/058,350, Domenica Simms, filed April 10, 1998 and

submitted herewith as document AT6. The submitted prosecution includes Office Communications and Applicant's amended claim sets submitted in response to the Office Communications. The prosecution is cited herein as documents AS7 through AS10.

The identification of this U.S. Patent Application, and any corresponding prosecution, is not to be construed as a waiver of secrecy as to this application, or its corresponding prosecution, now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application, the corresponding prosecution and the art cited therein during examination.

Document AN1, JP 61-132189 A, is in the Japanese language. The relevance of document AN1 can be ascertained by reference to the European Examination Report for EP 98 915 405.9 (European equivalent of the present application), cited as document AT10. Unverified English language abstracts of document AN1 are submitted as Document AR7.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

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not be prior art, and/or to prove that this information may not be enabling for the

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teachings purportedly offered.

This statement should not be construed as a representation that a search has been

made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on

the material submitted herewith.

This First Supplemental Information Disclosure Statement is being filed before

the mailing date of a first Office Action after the filing of a request for continued

examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the

enclosed PTO-1449, and indicate in the official file wrapper of this patent application

that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee

deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Christopher J. Walsh Agent for Applicants

Kirthely Wal

Registration No. 55,709

Date: June 21, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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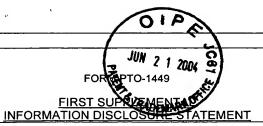
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Page 1 of 7 APPLICATION NO. ATTY, DOCKET NO. JUN 2 1 2004 10/046,667 0942.5220001/RWE/CJW FOR PTO-1449 FIRST NAMED INVENTOR FIRST SUPPLEMENT Simms, D. ART UNIT FILING DATE ATEMENT INFORMATION DISCLO January 16, 2002 1651 **U.S. PATENT DOCUMENTS** DOCUMENT **EXAMINER** INITIAL NUMBER DATE NAME CLASS SUB-CLASS **FILING DATE** 05/23/1989 AÄ1 US 4,833,239 DeBonville et al. 01/29/1987 06/27/1989 Chomczynski, P. 11/19/1987 AB1 US 4,843,155 01/16/1990 AC1 US 5,098,603 03/24/1992 Perlman, D. AD1 US 5,346,994 09/13/1994 Chomczynski, P. 01/28/1992 AE1 US 5,990,302 11/23/1999 Kuroita et al. 07/11/1997 AF AG AΗ AI AJ AK **FOREIGN PATENT DOCUMENTS EXAMINER** DOCUMENT INITIAL NUMBER DATE COUNTRY CLASS SUB-CLASS TRANSLATION Yes AL No Yes AM No Yes AN<sub>1</sub> JP 61-132189 A 06/19/1986 Japan No Yes AO1 EP 0 727 488 A1 08/21/1996 Europe No Yes ΑP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) AR Bugos, R.C., et al., "RNA Isolation from Plant Tissues Recalcitrant to Extraction in Guanidine," BioTechniques 19:734-737, Eaton Publishing Company (1995) AS 4 Dahle, C.E., and Macfarlane, D.E., "Isolation of RNA from Cells in Culture Using Catrimox-14™ Cationic Surfactant," BioTechniques 15:1102-1105, Eaton Publishing Company (1993) AT 4

**EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**EXAMINER** 

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0942.5220001/RWE/CJW
FIRST NAMED INVENTOR
Simms. D.

APPLICATION NO.
10/046,667

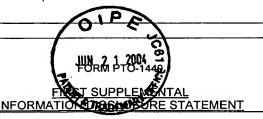
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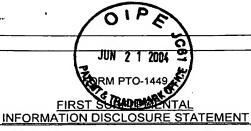
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